

BOARD BARBERING AND COSMETOLOGY

INITIAL STATEMENT OF REASONS

Hearing Date: July 10, 2006

Subject Matter of Proposed Regulations: Board Approved Trainers and Establishments (Multiple Locations)

Section Affected: Section 919

Specific Purpose of each adoption, amendment, or repeal:

The proposed amendment to section 919, establishes the multiple location option for the apprentice as well as makes it part of the initial apprentice application process and assists in getting board approval of all “multiple locations” under common ownership associated with the apprentices employment. This proposal allows an apprentice employed by a chain establishment under common ownership, to make a request to the board to have the ability to work in multiple locations if there is an agreement between establishments to employ the apprentice. The proposed language clarifies establishments under common ownership, and outlines the requirements of participation in multi-location apprentice training.

Factual Basis/Rationale

SB 362 (Chapter 788, Statutes of 2003) and Business and Professions Code, Section 7303.2, directed the board, in coordination with the Department of Industrial Relations, to review the apprenticeship program. Included in the review are the standards for placement establishments for apprenticeship. The board established a working group that included the Department of Industrial Relations and upon completion of their review, the board approved the working group’s final recommendations.

There are many establishments that operate under a corporate “chain” structure or common ownership, and may wish to have their apprentice work at more than one location. Licensed cosmetologist and barbers who have taken on the responsibility of training an apprentice, often work in multiple locations, and wish to have their apprentices accompany them to the various establishments within the chain (with apprentice and establishment approval). Moving from one establishment to another is limited under an existing requirement of submitting a form to the board requesting a “transfer” and the apprentice must wait for board approval and the issuance of a new license.

The proposed language is necessary to establish the multiple location option for the apprentice, if interested, makes it part of the initial apprentice application process, clarifies establishments under common ownership, and provides the requirements of participation in multi-location apprentice training.

Underlying Data

- 1: Memorandum dated April 1, 2005 addressed to the Licensing & Examination Committee.
- 2: October 24, 2005 board meeting minutes.

Business Impact

This regulation will not have a significant adverse economic impact on businesses. This initial determination is based on the following facts or evidence/documents/testimony:

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

Set forth below are the alternatives which were considered and the reasons each alternative was rejected:

Alternative 1

To incorporate this language into section 922 pertaining to transfers and continue the procedures in place for approving the transfer from one establishment to another.

Alternative 1 Rejection

Requesting a “transfer” for multiple location participation at this stage of an apprentices’ on-the-job training would mean that the apprentice would still have to wait for board approval and the issuance of a new license before moving to the establishment. The apprentice may be out of work, while waiting for the new license and waiting for the new license prolongs the apprentice from completing the on-the-job training hours within the timeframe of the apprentice license.